

Senate Bill 198

By: Senators Tolleson of the 20th, Harp of the 29th and Bulloch of the 11th

AS PASSED

AN ACT

To amend Code Section 12-9-46 of the Official Code of Georgia Annotated, relating to the power of the Board of Natural Resources to regulate air quality in nonattainment areas in this state, so as to provide the costs to be covered by the fee charged by emission inspection stations shall include the activities of the director of the Environmental Protection Division necessary to achieve compliance with state and federal clean air laws; to amend Code Section 12-9-48 of the Official Code of Georgia Annotated, relating to certificates of emission inspection, so as to provide for a time extension; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 12-9-46 of the Official Code of Georgia Annotated, relating to the power of the Board of Natural Resources to regulate air quality in nonattainment areas in this state, is amended by revising paragraph (11) of subsection (a) as follows:

“(11) To prescribe by rule or regulation an administrative fee to be collected by the director from each emission inspection station in a manner determined by the board by rule or regulation to cover the direct and indirect cost of:

- (A) Required and adequate oversight to confirm that inspections are being done in a proper and adequate manner, including, without limitation, the operation and maintenance of a data system and network for emission inspection data and related information; the performance of audits and quality control and quality assurance for certified emission inspection stations and licensed inspectors; the dissemination of information to individuals, corporations, governmental agencies, and any other entity regarding emission inspection requirements and related information; and the issuance of waivers, exemptions, and extensions of the emission inspection requirement;
- (B) Activities of the director within designated nonattainment areas that are necessary to achieve compliance with this article and the federal Clean Air Act including, without

limitation, ambient monitoring, attainment plan development, maintenance plan development, emission inventories, data analysis, and coordination and consultation with other governmental planning organizations; and

(C) Any other requirements that the board determines are appropriate to implement, enforce, and ensure compliance with the requirements of this article and the rules and regulations promulgated pursuant to this article; provided, however, that \$1.00 of each such administrative fee shall be remitted to the county for each responsible motor vehicle that is registered in that county; and"

SECTION 2.

Code Section 12-9-48 of the Official Code of Georgia Annotated, relating to certificates of emission inspection, is revised by adding a new subsection (e) and redesignating existing subsections (e) through (i) as (f) through (j), as follows:

"(e) A time extension, not to exceed the period of the inspection frequency, may be granted to obtain needed repairs on a vehicle in the case of economic hardship when waiver requirements contained in subsection (d) of this Code section have not been met. After having received a time extension under this subsection, a vehicle must fully pass the applicable test standards before becoming eligible for another time extension."

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.